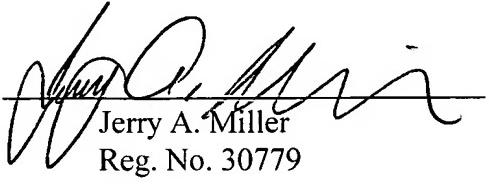
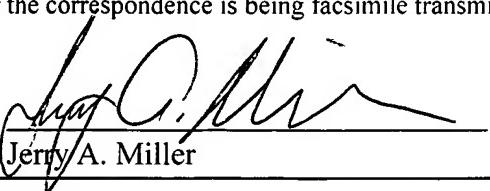


AMENDMENT TRANSMITTAL LETTER Under Small Entity Status					Attorney Docket No: MCNC-SRT-548.01	
Serial Number: 10/743,418		Filing Date: 12/22/2003		Examiner: Brandi N Thomas		Art Unit: 2873
Invention: Layered Photonic Crystals						
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	65	MINUS	65	0	\$9	\$0
INDEP. CLAIMS	9	MINUS	9	0	\$44	\$0
<p>Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>10/27/2004</u> to and through <u> </u>, comprising an extension of the shortened statutory period of:</p> <p><input type="checkbox"/> one month (\$55.00) <input type="checkbox"/> three months (\$490.00) <input type="checkbox"/> two months (\$215.00) <input type="checkbox"/> four months (\$765.00)</p> <p>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00</p>						
<p><input checked="" type="checkbox"/> Please return the enclosed post card. <input type="checkbox"/> A credit card payment form is enclosed. <input type="checkbox"/> A check in the amount of \$ <u> </u> is attached. <input checked="" type="checkbox"/> Charge <u>any underpayment</u> to Deposit Account <u>501267</u>. <input type="checkbox"/> No additional fee is required.</p>						
<p><u>12/8/2004</u> Date</p> <p> Jerry A. Miller Reg. No. 30779</p>						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on <u>12/8/2004</u>.</p>						
<p> Jerry A. Miller</p>						
<p>Reg. No. 30779</p>						



IFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : John South Lewis, III, et al.
Filed : 12/22/2003
Serial No. : 10/743,418
Confirmation No. : 7518
Group Art Unit : 2873
Examiner : Thomas, Brandi N.
Docket Number : MCNC-SRT-548.01
Title : Layered Photonic Crystals

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

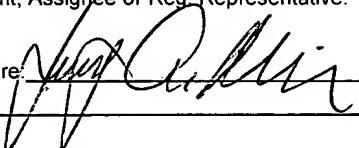
CERTIFICATE OF MAILING / FAX TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

[X] deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[] transmitted by facsimile to the U.S. Patent and Trademark Office.

Applicant, Assignee or Reg. Representative: Jerry A. Miller, Reg. No. 30,779

Signature: 

Date: 12/8/2004

RESPONSE TO OFFICE ACTION

Sir:

INTRODUCTORY COMMENTS:

This communication is responsive to the Office Action dated October 27, 2004, in which claims 25, 30-32, 36-40, 43-47, 58-60 and 62-64 were rejected under 35 U.S.C. §102 and claims 48, 49, 61 and 65 were rejected under 35 U.S.C. §103. Claims 1-24 and 50-57 were allowed and claims 26-29, 33-35, 41 and 42 were objected to but indicated to be allowable over the cited art. Applicant(s) respectfully request reconsideration in view of the following: